

**KRUTCIK & GEORGIN**

James A. Krutcik, Esq. (SBN 140550)  
26021 Acero  
Mission Viejo, CA 92691  
(949) 367-8590; (949) 367-8597 FAX

jkirutcik@kglawoffices.com

Attorneys for Plaintiffs PAUL O'SULLIVAN,  
MARIE BROWN, KEO YANG, SARAH  
BARSOUM, SIRINE DALLOUL, HALA HAWA,  
MONIR HAWA, CONSTANCE MARGERUM,  
DIANA BARLETT, YER VANG, and CHERIE  
DAVIS, individually, and all those similarly  
situated

**DAVIS WRIGHT TREMAINE LLP**

John P. LeCrone (SBN 115875)  
865 S. Figueroa Street  
Suite 2400  
Los Angeles, CA 90017-2566  
(213) 633-6800; (213) 633-6899 FAX

johnlecrone@dwt.com

Attorneys for Defendants DIAMOND PARKING,  
INC. and DIAMOND PARKING SERVICES,  
LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

PAUL O'SULLIVAN, MARIE  
BROWN, KEO YANG, SARAH  
BARSOUM, SIRINE DALLOUL,  
HALA HAWA, MONIR HAWA,  
CONSTANCE MARGERUM, DIANA  
BARLETT, YER VANG, and CHERIE  
DAVIS, individually, and all those  
similarly situated,

Plaintiff,

vs.

DIAMOND PARKING, INC. , a  
Washington Corporation; DIAMOND  
PARKING SERVICES, LLC, a  
Washington Limited Liability  
Company; and DOES 1 through 500,  
inclusive,

Defendants.

Case No. C 07-03389 VRW

**STIPULATION AND ~~PROPOSED~~  
ORDER TO STAY ALL  
PROCEEDINGS INCLUDING;  
MOTION TO TRANSFER VENUE  
AND FRCP RULE 26 DEADLINES;  
DECLARATION OF JAMES A.  
KRUTCIK**

1       **WHEREAS**, on May 21, 2007, Paul O’Sullivan, Marie Brown, Keo Yang,  
 2 Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum,  
 3 Diana Barlett, Yer Vang, and Cherie Davis, individually and on behalf of all those  
 4 similarly situated (“PLAINTIFFS”) filed an action against Diamond Parking, Inc.  
 5 and Diamond Parking Services, LLC (“DEFENDANTS”) alleging various violations  
 6 of California wage and hour law;

7       **WHEREAS**, on June 28, 2007, DEFENDANTS filed a Notice to Adverse  
 8 Parties of Removal to Federal Court and the Removal was granted;

9       **WHEREAS**, on July 27, 2007, DIAMOND PARKING INC. filed a Motion to  
 10 Transfer Venue pursuant to 28 U.S.A. 1404 (a), which Motion is set for hearing on  
 11 September 6, 2007;

12       **WHEREAS**, the parties have agreed to mediation and informal exchange of  
 13 discovery, and to stay the entire action, including the Motion to Transfer Venue, for a  
 14 period of 90 days pending the outcome of efforts to mediate this matter;

15       **IT IS AGREED AND STIPULATED**, by and between PLAINTIFFS and  
 16 DEFENDANTS, through their respective counsel of record, that all matters in this  
 17 action be stayed for 120 days, including:

- 18       1. A stay of DEFENDANTS’ Motion to Transfer Venue pursuant to 28  
 19 U.S.C. 1404(a), and a continuance of the hearing to a convenient date 90  
 20 days hence;
- 21       2. The deadline(s) under Federal Rule of Civil Procedure 26;
- 22       3. All formal discovery under Federal Rules of Civil Procedure, including  
 23 depositions; and
- 24       4. Any Motion for Certification of Class Action.

25       ///

26       ///

27       ///

28       ///

1 **IT IS SO STIPULATED.**

2  
3 DATED: August 10, 2007

**KRUTCIK & GEORGIN**

4  
5 By: /S/  
6 James A. Krutcik, Esq.  
7 Attorneys for PLAINTIFF

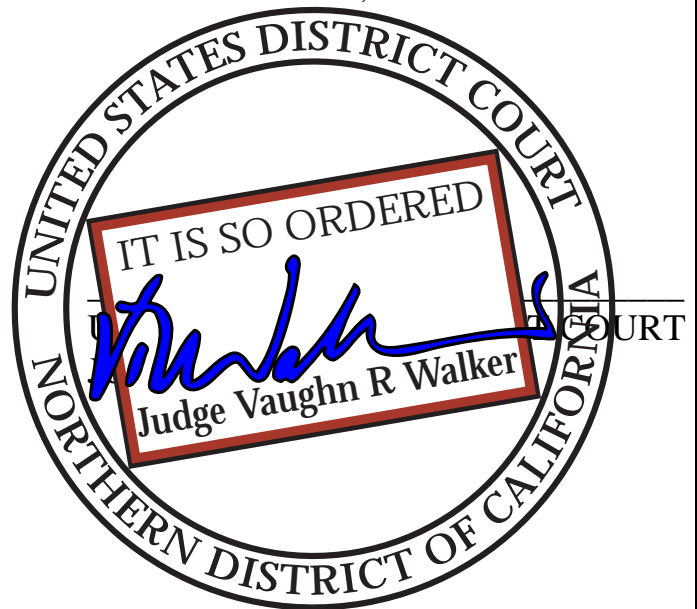
8  
9 DATED: August 10, 2007

**DAVIS WRIGHT TREMAINE LLP**

10  
11 By: /S/  
12 John P. LeCrone, Esq.  
13 Attorneys for DEFENDANTS,  
14 DIAMOND PARKING, INC. and  
15 DIAMOND PARKING  
16 SERVICES, LLC

17 **IT IS SO ORDERED**

18  
19 DATED: 8/17/2007



**DECLARATION OF JAMES A. KRUTCIK IN SUPPORT OF STIPULATION  
TO STAY MOTION TO TRANSFER VENUE AND PENDING FRCP RULE  
26 DEADLINES**

I, James A. Krutcik, hereby declare as follows:

1. I am an attorney at law duly licensed to practice before all of the courts of the State of California and the United States District Court for the Northern, Central and Southern Districts of California. I am a partner in the law firm of Krutcik & Georggin, attorneys for Plaintiffs, Paul O'Sullivan, Marie Brown, Keo Yang, Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum, Diana Barlett, Yer Vang, and Cherie Davis. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would competently testify thereto.

2. On May 21, 2007, Paul O'Sullivan, Marie Brown, Keo Yang, Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum, Diana Barlett, Yer Vang, and Cherie Davis, individually and on behalf of all those similarly situated ("PLAINTIFFS") filed an action against Diamond Parking, Inc. ("DEFENDANTS") alleging various violations of California wage and hour law by DIAMOND PARKING, INC.

3. On June 28, 2007 DEFENDANTS filed a Notice to Adverse Parties of Removal to Federal Court and the Removal was granted.

4. On July 27, 2007, DIAMOND PARKING INC. filed a Motion to Transfer Venue pursuant to 28 U.S.A. 1404 (a).

///

///

///

///

///

///

5. On August 2, 2007 the parties agreed to Stay all proceedings including the Motion to Transfer Venue; FRCP Rule 26 requirements; all formal discovery under the Federal Rules of Civil Procedure, including depositions; and any Motion for Certification of Class Action, pending the outcome of efforts to Mediate this matter.

Executed this 14<sup>th</sup> day of August, 2007 at Mission Viejo, California.

/S/

JAMES A. KRUTCIK, ESQ.